



Handwritten initials and a signature in the top right corner.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Barsness, et al. : Date: December 2, 2005  
Group Art Unit: 2145 : IBM Corporation  
Examiner: T. Duong : Intellectual Property Law  
Serial No.: 09/801,309 : Dept. 917, Bldg. 006-1  
Filed: March 7, 2001 : 3605 Highway 52 North  
Title: SUBJECT/OBSERVER UPDATE : Rochester, MN 55901  
CONTROL METHOD AND APPARATUS

**PETITION AND FEE FOR EXTENSION OF TIME (37 CFR 1.136(a))**

Commissioner for Patents  
P.O. 1450  
Alexandria, VA 22313-1450

Sir:

1. This is a petition for an extension of the time to file an Appeal Brief in response to the Notice of Appeal mailed September 2, 2005, for a period of one month.
2. Applicant is other than a small entity.
3. Extension period and fee:

	<u>(months)</u>	<u>Fee for other than small entity</u>
<input checked="" type="checkbox"/>	one month	\$ 120.00
<input type="checkbox"/>	two months	\$ 450.00
<input type="checkbox"/>	three months	\$ 1,020.00
<input type="checkbox"/>	four months	\$1,590.00

Fee: \$120.00

Docket No.: ROC920010075US1  
Serial No.: 09/801,309

12/05/2005 ZJUHAR1 00000045 090465 09801309  
01 FC:1251 120.00 DA

## 4. An Appeal Brief

☒ is filed herewith.

☐ has been filed.

**(complete the following if applicable)**

☐ the proposed response is the filing of a continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application.

## 5. Fee Payment

☒ Charge fee to Deposit Account No. 09-0465 and for any additional extension fee required or credit for any excess fee paid. A duplicate copy of this sheet is enclosed.

Date: December 2, 2005

Respectfully submitted,

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)**

I hereby certify that the enclosed or attached correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

December 2, 2005

Date of Deposit

Lisa M. Plank

Lisa M. Plank

By

Grant A. Johnson

Registration No.: 42,696

Telephone: (507) 253-4660

Fax No.: (507) 253-2382

Docket No.: ROC920010075US1

Serial No.: 09/801,309